

**YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT**  
**1947 Galileo Court, Suite 103, Davis, CA 95618**  
**(530)757-3650**

**TITLE V PERMIT STATEMENT OF BASIS**

PERMIT NUMBER: F-01059-5

ENGINEER: René Toledo

DATE: September 17, 2009

**Facility Name:** Recology Hay Road  
**Mailing Address:** 6426 Hay Road  
Vacaville, CA 95687

**Location:** 6426 Hay Road  
Vacaville, CA 95687

**Responsible Official:** Greg Pryor  
**Title:** General Manager

**Application Contact:** Kirk Steed  
**Phone:** 707-693-2123

**I. FACILITY DESCRIPTION**

Recology Hay Road (formerly Norcal Waste Systems Hay Road Landfill, Inc.) operates the Municipal Solid Waste (MSW) landfill located at 6426 Hay Road in Vacaville, CA. The current design capacity for the landfill is 35.6 million cubic yards (17.0 million megagrams).

The majority of the landfilling process consists of placing waste into active waste management cells that are covered daily with soil or chipped greenwaste. Once a cell is filled to capacity, it is covered with a final layer of soil and the waste is allowed to degrade naturally. In general, as the waste decomposes it produces landfill gases that contain large amounts of methane (CH<sub>4</sub>) and carbon dioxide (CO<sub>2</sub>), as well as, relatively small amounts of non-methane organic compounds (NMOC) and hazardous air pollutants (HAP's). Overtime these gases migrate upward through the waste cells and are emitted as fugitive emissions. Conservatively, this evaluation assumes that all of the NMOC emissions are volatile organic compounds (VOC's).

## **II. PROPOSED REVISIONS**

The applicant is proposing to modify the current Title V Permit by replacing the existing carbon adsorption system with an enclosed landfill flare, and increasing the total number of landfill gas collection wells from 50 to 100. The applicant is not proposing to increase the design capacity of the landfill or proposing to amend the landfill gas related parameters used in the previous Title V permit amendment.

This addendum to the Title V Statement of Basis reflects only the Title V Permit modifications proposed by Authority to Construct (ATC) application C-09-87. Emissions units that are not affected by the proposed changes were evaluated in the original (or any subsequent) statement of basis and will not be included here.

## **III. SIGNIFICANT EMISSIONS UNIT INFORMATION**

Each of the sources has been constructed pursuant to issuance of an ATC in accordance with District Rules 3.1 (Exemptions) and 3.4 (New Source Review). Upon Recology complying with the requirements of ATC C-09-87, the construction permit will be implemented into Permit to Operate (PTO) P-85-06(a2).

**Identification Number:**     **P-85-06(a2)**

**Equipment Description:**     MSW landfill not to exceed a total maximum design capacity of 35.6 million cubic yards (17.0 million megagrams)

**Control Equipment:**     Negative pressure landfill gas collection system serving up to 100 collection wells (equipped with a 1500 CFM blower at 30 HP) and routed to a 45.6 MMBtu/hr enclosed flare with a minimum combustion zone residence time of 0.6 seconds

## **IV. TITLE V APPLICABILITY**

The total potential to emit (PTE) for all of the Recology equipment permitted at this location exceeds the VOC major source threshold of 25 tons per year. Therefore, Recology is subject to the requirements of District Rule 3.8 (Federal

Operating Permits). The facility's emission totals are listed below in Table 1 on a per pollutant basis

**Table 1 - Total Potential to Emit for Criteria Pollutants**

Criteria Pollutant Emissions (tons per year)					
Emission Unit Name	VOC	CO	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>
P-28-98	0.01	-	-	-	-
P-64-00	13.00	-	-	-	0.82
P-85-06(a2)	35.53	39.95	9.99	14.39	3.36
P-86-06	0.01	0.03	0.14	0.01	Negligible
Total	48.55	39.98	10.13	14.40	4.18

## V. APPLICABLE FEDERAL REQUIREMENTS

### RULE 2.3 Ringelmann Chart

#### Rule Description

This rule specifies the allowable opacity limit for sources in the District.

#### Compliance Status

The rule applies to any fugitive emissions associated with the landfilling process. The version of the rule used in this evaluation is the rule adopted on October 1, 1971, and is part of the California State Implementation Plan (SIP). The source is currently in compliance with the requirements of the rule.

#### Streamlining Demonstration

The requirements of the rule can be streamlined by a condition required by District Rule 3.4 (New Source Review). The streamlining demonstration is shown below:

**Streamlined Requirement:** The Permit Holder shall not discharge into the atmosphere from any single source of emission whatsoever, any air contaminant for a period or periods aggregating more than three (3) minutes in any one (1) hour which is:

- a. As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart as published by the United States Bureau of Mines; or
- b. Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subsection a. of this condition. [District Rule 2.3]

For P-85-06(a2), the Rule 3.4 requirements are: The Permit Holder shall not discharge into the atmosphere from any single source of emissions whatsoever, any air contaminant for a period or periods aggregating more than three (3) minutes in any one (1) hour which is:

- a. As dark or darker in shade than No. 1 on the Ringelmann Chart; or
- b. Greater than 20% opacity. [District Rule 3.4]

Therefore, the general opacity requirements of District Rule 2.3 have been streamlined by the requirements of District Rule 3.4.

## **RULE 2.5 Nuisance**

### **Rule Description**

This rule requires that sources are not a public nuisance.

### **Compliance Status**

The rule applies to the landfilling operation. The version of the rule used in this evaluation is the rule adopted on October 1, 1971, and is part of the California SIP. The source is currently in compliance with the rule.

### **Permit Condition**

The Permit Holder shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health, or safety of any such persons or the public or which cause to have a natural tendency to cause injury or damage to business or property. [District Rule 2.5]

It should be noted that this permit condition is Federally enforceable because it derives from District Rule 2.5 (Nuisance) that is currently part of the California SIP. The District is taking steps to remove Rule 2.5 from the SIP. Once the

U.S. EPA has taken final action to remove District Rule 2.5 from the SIP, this permit condition will become state-enforceable only.

## **RULE 2.11 Particulate Matter**

### **Rule Description**

This rule specifies the allowable particulate matter (PM) emission rate at standard conditions. For the purposes of this evaluation, the PM emissions are considered to be 100% PM<sub>10</sub> (PM with an aerodynamic diameter of 10 microns or less).

### **Compliance Status**

The rule does not apply to any incidental PM emissions from landfilling process (i.e. daily soil cover) since the emissions are fugitive in nature and are not emitted via an exhaust stack or vent. However, the rule does apply to the enclosed flare's PM exhaust concentrations. The source is currently in compliance with the rule.

### **Streamlining Demonstration**

The requirements of the rule can be streamlined by conditions required by District Rule 3.4. The streamlining demonstration is shown below:

**Streamlined Requirement:** The Permit Holder shall not discharge into the atmosphere from any single source of emission, PM in excess of 0.3 grains per cubic foot of exhaust volume as calculated at standard conditions.

The Rule 3.4 PM emission limit for P-85-06(a2) is 18.4 pounds per day. The corresponding PM concentration for the flare is calculated below using the rating of 45.6 million British Thermal Units (MMBtu) per hour and an a landfill gas F-Factor value of 9,570 standard cubic feet per MMBtu (SCF/MMBtu) as listed in U.S. Environmental Protection Agency (EPA), Method 19.2:

$$= (18.4 \text{ lb/day}) * (1 \text{ day/24 hours}) * (7,000 \text{ grains/lb}) * (1 \text{ hour/60 minutes}) \\ * (1 \text{ hour/45.6 MMBtu}) * (1 \text{ MMBtu/9,570 SCF}) = 0.0123 \text{ grains/SCF}$$

Therefore, the Rule 2.11 requirement is streamlined by the NSR requirement.

## **RULE 2.12 Specific Contaminants**

### **Rule Description**

This rule specifies the allowable sulfur dioxide (SO<sub>2</sub>) and PM emission rates at standard conditions for an emission unit. For the purpose of this evaluation, the sulfur oxide (SO<sub>x</sub>) emissions are considered to be 100% SO<sub>2</sub>.

### **Compliance Status**

The rule applies to the enclosed flare operated at the facility. The source is currently in compliance with the rule.

### **Streamlining Demonstration**

The requirements of the rule can be streamlined by conditions required by Rule 3.4. The PM requirements have been streamlined by the previous example and are not repeated here. The streamlining demonstration for SO<sub>2</sub> is shown below:

**Streamlined Requirement:** The Permit Holder shall not release or discharge into the atmosphere from any single source SO<sub>2</sub> in excess of 0.2 percent by volume.

The Rule 3.4 SO<sub>x</sub> emission limit for P-85-06(a2) is 78.8 pounds per day. The corresponding SO<sub>x</sub> concentration for the flare is calculated below using the rating of 45.6 million British Thermal Units (MMBtu) per hour and an a landfill gas F-Factor value of 9,570 standard cubic feet per MMBtu (SCF/MMBtu) as listed in U.S. EPA, Method 19.2:

$$= (78.8 \text{ lb/day}) * (1 \text{ day/24 hours}) * (1 \text{ hour/45.6 MMBtu}) * (1 \text{ MMBtu/9,570 SCF}) * (385 \text{ SCF/lb-mole}) * (1 \text{ lb-mole/64 lb}) * 100\% = 0.0045\%$$

Therefore, the Rule 2.12 requirement is streamlined by the NSR requirement.

## **RULE 2.16 Fuel Burning Heat or Power Generators**

### **Rule Description**

This rule specifies the allowable sulfur dioxide, nitrogen oxides calculated as nitrogen dioxide, and combustion particulate limits for non-mobile, fuel burning, heat or power generating units in the District.

### **Compliance Status**

The rule does not apply to the enclosed flare operated at the landfill because the flare is exempt from the rule pursuant to Section (c)(1) of the rule.

### **RULE 2.17 Circumvention**

#### **Rule Description**

This rule prevents sources from concealing emissions to the atmosphere.

#### **Compliance Status**

The rule is applicable to all emission units at the facility. The source is currently in compliance with the rule.

#### **Permit Condition**

The Permit Holder shall not build, erect, install or use any article, machine, equipment, or other contrivance, the use of which, without resulting in a reduction in the total release of air contaminants to the atmosphere, reduces or conceals an emission which would otherwise constitute a violation of Division 26, Part 3 and Part 4 of the Health and Safety Code of the State of California (H&SC) or District Rules or Regulations.

### **RULE 2.19 Particulate Matter Process Emission Rate**

#### **Rule Description**

This rule limits the pound per hour PM emission rate based on the amount of material processed.

#### **Compliance Status**

The enclosed flare is exempt from the requirements of the rule pursuant to Section (a) of the rule, which requires the use of Rule 1.1 (General Provisions and Definitions), Section 226 to define process weight. Section 226 states that "Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not."

**Permit Condition**

No permit conditions are required.

**RULE 2.38 Standards for Municipal Solid Waste**

**Rule Description**

The purpose of this rule is to limit the emission of non-methane organic compounds (NMOC) from existing MSW landfills and implement the emission guidelines promulgated by U. S. EPA at 40 CFR Part 60, Subpart Cc.

**Compliance Status**

The rule applies to all existing MSW landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, have a design capacity greater than or equal to 2.5 million megagrams, and are not subject to the requirements of 40 CFR Part 60, Subpart WWW. Although the Recology landfill began accepting waste in 1964, the landfill was authorized to increase its design capacity on May 17, 1996. As a result the capacity increase has made the landfill subject to the requirements of 40 CFR part 60, Subpart WWW. Therefore, per the provision of Section 103.1, since the source is subject to Subpart WWW, it is exempt from the requirements of Rule 2.38.

**Permit Conditions**

The source is exempt from the requirements of the rule. No permit conditions are required.

**RULE 3.1 General Permit Requirements**

**Rule Description**

The purpose of this rule is to provide an orderly procedure for the review of new sources of air pollution and of the modification and operation of existing sources through the issuance of permits.

**Compliance Status**

The source is currently in compliance with the rule.



### **Permit Conditions**

No person shall build, erect, alter, or replace any facility, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants, or the use of which may eliminate or reduce or control the issuance of air contaminants, without first obtaining an authorization to construct from the Air Pollution Control Officer (APCO) as specified in Section 401 of District Rule 3.1. [District Rule 3.1, §301.1]

No person shall operate any facility, article, machine, equipment, or other contrivance, for which an authorization to construct is required by District Rules and Regulations without first obtaining a written permit from the APCO. [District Rule 3.1, §302.1]

No person shall operate any facility, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants, without obtaining a permit from the APCO or the Hearing Board. [District Rule 3.1, §302.2]

The owner or operator of any facility, article, machine, equipment, or other contrivance for which a permit to operate is in effect shall notify the District office whenever a breakdown, malfunction, or operational upset condition exists which would tend to increase emissions of air pollutants or whenever any operating condition contrary to any provision of the permit to operate exists. Such notice shall be given to the District no later than four hours after occurrence during regular workday hours or no later than two hours of the District workday following an occurrence not during regular District workday hours. The notice shall provide the District information as to causes and corrective action being taken, with a schedule for return to required operating conditions. [District Rule 3.1, §405.3]

### **RULE 3.4 New Source Review**

#### **Rule Description**

This rule applies to all new stationary sources and emissions units and all modifications to existing stationary sources and emissions units which are subject to Rule 3.1 (General Permit Requirements) and which, after construction or modification, emit or may emit any affected pollutants. This rule shall not apply to prescribed burning of forest, agriculture or range land, road

construction or any other non-point source common to timber harvesting or agricultural practices. The purpose of this rule is to provide for the review of new and modified stationary air pollution sources and to provide mechanisms, including emission offsets, by which authorities to construct such sources may be granted without interfering with the attainment or maintenance of ambient air quality standards.

### **Compliance Status**

The source has satisfied the provisions of NSR and the applicable requirements are contained in ATC C-09-87. The NSR requirements are shown below:

### **Permit Conditions**

#### **Permitted Emission Limits:**

The VOC emissions from the MSW landfill operation and the enclosed landfill gas flare shall not exceed 194.7 lb/day, 17,520 lb/1<sup>st</sup> calendar quarter, 17,714 lb/2<sup>nd</sup> calendar quarter, 17,909 lb/3<sup>rd</sup> calendar quarter, 17,909 lb/4<sup>th</sup> calendar quarter, and 35.53 tons/calendar year. [District Rule 3.4/ C-09-87]

The CO emissions from the landfill gas fired flare shall not exceed 218.9 lb/day, 19,699 lb/1<sup>st</sup> calendar quarter, 19,918 lb/2<sup>nd</sup> calendar quarter, 20,137 lb/3<sup>rd</sup> calendar quarter, 20,137 lb/4<sup>th</sup> calendar quarter, and 39.95 tons/calendar year. [District Rule 3.4/ C-09-87]

The NO<sub>x</sub> emissions from the landfill gas fired flare shall not exceed 54.7 lb/day, 4,925 lb/1<sup>st</sup> calendar quarter, 4,980 lb/2<sup>nd</sup> calendar quarter, 5,034 lb/3<sup>rd</sup> calendar quarter, 5,034 lb/4<sup>th</sup> calendar quarter, and 9.99 tons/calendar year. [District Rule 3.4/ C-09-87]

The SO<sub>x</sub> emissions from the landfill gas fired flare shall not exceed 78.8 lb/day, 7,095 lb/1<sup>st</sup> calendar quarter, 7,174 lb/2<sup>nd</sup> calendar quarter, 7,253 lb/3<sup>rd</sup> calendar quarter, 7,253 lb/4<sup>th</sup> calendar quarter, and 14.39 tons/calendar year. [District Rule 3.4/ C-09-87]

The PM<sub>10</sub> emissions from the landfill gas fired flare shall not exceed 18.4 lb/day, 1,655 lb/1<sup>st</sup> calendar quarter, 1,673 lb/2<sup>nd</sup> calendar quarter, 1,692 lb/3<sup>rd</sup> calendar quarter, 1,692 lb/4<sup>th</sup> calendar quarter, and 3.36 tons/calendar year. [District Rule 3.4/ C-09-87]

The hydrogen sulfide (H<sub>2</sub>S) content of the landfill gas shall not exceed 195.0 ppmv. [District Rule 3.4/C-09-87]

The emission concentrations for the flare shall not exceed the following:

- a. VOC (measured as hexane): 31.4 ppmv @ 3% oxygen;
- b. CO: 0.200 lb/MMBtu; and
- c. NO<sub>x</sub> (as NO<sub>2</sub>): 0.050 lb/MMBtu. [District Rule 3.4/C-09-87]

For the general operations at the MSW landfill operation under P-85-06(a 2) and the IC engine under P-86-06, the Permit Holder shall not discharge into the atmosphere from any single source of emission whatsoever, any air contaminant for a period or periods aggregating more than three (3) minutes in any one (1) hour which is:

- a. As dark or darker in shade than No. 1 on the Ringelmann Chart; or
- b. Greater than 20% opacity. [District Rule 3.4/C-06-119 and C-09-87]

#### **Permitted Process Limits**

The amount of municipal waste received by the landfill operation shall not exceed 2,400 tons/day, 108,000 tons/1<sup>st</sup> calendar quarter, 109,200 tons/2<sup>nd</sup> calendar quarter, 110,400 tons/3<sup>rd</sup> calendar quarter, 110,400 tons/4<sup>th</sup> calendar quarter, and 438,000 tons/year. [District Rule 3.4/ C-09-87]

Solid waste throughput shall not exceed 1,200 tons per day, as averaged on a calendar week basis. [District Rule 3.4/ C-09-87]

The amount of landfill gas combusted in the flare shall not exceed 2.432 million cubic feet/day, 218.9 million cubic feet/1<sup>st</sup> calendar quarter, 221.3 million cubic feet/2<sup>nd</sup> calendar quarter, 223.7 million cubic feet/3<sup>rd</sup> calendar quarter, 223.7 million cubic feet/4<sup>th</sup> calendar quarter, and 887.7 million cubic feet/year. [District Rule 3.4/ C-09-87]

The Permit Holder shall operate the enclosed flare with a minimum combustion zone residence time of 0.6 seconds, and shall equip the flare with automatic temperature controls designed to control the average minimum temperature, on a rolling 3-hour average basis, at or above the minimum temperature established in the initial startup testing. The enclosed flare shall also be equipped with an automatic shutoff gas valve and an automatic re-start system. [District Rule 3.4/C-09-87]

The Permit Holder shall determine during the initial startup testing, the minimum flare operating temperature required to achieve compliance with the VOC

emission concentration limit. The flare combustion flame temperature shall be measured in units of degrees Fahrenheit ( $^{\circ}$  F) and shall be monitored at the most appropriate thermal couple in the exhaust stack as determined through the initial source test. Flame temperature shall be monitored with a continuous reading temperature sensor. [District Rule 3.4/C-09-87]

Only landfill gas shall be burned in the flare. No supplemental fuel may be burned in the flare, excluding pilot gas. [District Rule 3.4/C-09-87]

A non-resettable, totalizing gaseous fuel flow meter shall be installed and utilized to measure the quantity (in cubic feet) of landfill gas combusted in the flare. The meter shall be accurate to plus or minus five percent and shall be calibrated at least once every twelve (12) months. [District Rule 3.4/C-09-87]

The Permit Holder shall maintain a written log of all maintenance work performed that requires the shutdown of the gas collection system. The log shall include a description of work, the date work was performed, and the amount of time needed to complete the maintenance work. Emissions of landfill gas to the atmosphere shall be minimized during each shutdown. [District Rule 3.4/C-09-87]

The Permit Holder shall install and maintain such facilities on the flare stack as are necessary for sampling and testing purposes. The number, size, and location of sampling ports shall be in accordance with Air Resources Board Test Method 1. The location and access to the sampling platform shall be in accordance with the General Industry Safety Orders of the State of California. [District Rule 3.4/C-09-87]

The Permit Holder shall analyze the fuel's higher heating value (wet basis) and sulfur content (as  $H_2S$ ) at least once every twelve (12) consecutive month period. [District Rule 3.4/C-09-87]

The Permit Holder shall perform a source test on the flare within 45 days of startup and at least once every twelve (12) months thereafter in order to demonstrate compliance with the VOC, CO, and  $NO_x$  emission limits. [District Rule 3.4/C-09-87]

Source testing shall be conducted using the following test methods:

- a. VOC - EPA Method 18;
- b. CO - EPA Method 10 or CARB Method 100;
- c.  $NO_x$  (as  $NO_2$ ) - EPA Method 7E or CARB Method 100; and

- d. Stack gas oxygen - EPA Method 3A or CARB Method 100. [District Rule 3.4/C-09-87]

The Permit Holder is prohibited from adding any liquid (other than leachate and landfill gas condensate) in a controlled fashion to any waste mass in order to accelerate or enhance the anaerobic biodegradation of the waste. [District Rule 3.4/C-09-87]

The Permit Holder shall submit a NMOC report to the District using the procedures specified in 40 CFR Part 60.754(a) at least once every twelve (12) months, except as provided in 40 CFR Part 60.757(b)(1)(ii) or 40 CFR Part 60.757(b)(3). [District Rule 3.4/C-09-87]

The District must be notified prior to any emissions testing event (including NMOC related sampling or flare source testing) and a protocol must be submitted for approval 30 days prior to testing. The results of an emissions testing event shall be submitted to the District within 60 days of the test date. The protocol and report shall be mailed to the attention of the Supervising Air Quality Engineer. [District Rule 3.4/C-09-87]

Upon achieving a calculated NMOC emission rate of 50 megagrams or greater per year, the Permit Holder shall comply with the requirements of 40 CFR Part 60.752(b)(2). The landfill's NMOC emission rate shall be calculated in accordance with the requirements of 40 CFR Part 60.754(a). [District Rule 3.4/C-09-87]

The Permit Holder shall maintain daily records (in tons) of the total amount of MSW accepted at the landfill. [District Rule 3.4/C-09-87]

The Permit Holder shall monitor and record on a quarterly basis the cumulative quarterly and annual landfill gas fuel usage (in cubic feet) from the totalizing meter serving the flare. [District Rule 3.4/C-09-87]

### **RULE 3.8 Federal Operating Permits**

#### **Rule Description**

This rule implements the requirements of Title V of the Federal CAA as amended in 1990 for permits to operate. Title V provides for the establishment of operating permit programs for sources which emit regulated air pollutants, including attainment and non-attainment pollutants.

### **Compliance Status**

The source is in compliance with the requirements of this rule. The source currently has one proposed change for which the District is issuing an ATC, which is being processed according to the District's Enhanced NSR guidelines in District Rule 3.4, Section 404.

The proposed change is a significant permit modification (District Rule 3.8, section 228) because the proposed change significantly changes monitoring conditions.

In accordance with District Rule 3.8, section 409, a significant permit modification requires that the District provide written notice, proposed permit, and District Analysis to the USEPA, Air Resources Board, all interested parties and agencies, and the source. The proposed permit will have a 30 day public review period and a concurrent 45 day regulatory review period.

Upon implementation of the District ATC into a PTO, the source may submit a written request for District action to amend the Title V operating permit pursuant to District Rule 3.8, section 404.1. Since the District ATC has been processed according to enhanced NSR guidelines, upon written request by the source, the District shall incorporate the changes into the Title V permit as an administrative permit amendment pursuant to District Rule 3.8, section 412.1.

### **Permit Conditions**

The Permit Holder shall maintain all records on site for a period of five (5) years from the date of entry and these records shall be made readily available to District personnel upon request. [District Rule 3.8, §302.6(b)/C-09-87]

### **Right of Entry:**

The permit shall require that the source allow the entry of the District, ARB, or U.S. EPA officials for the purpose of inspection and sampling, including:

- a. Inspection of the stationary source, including equipment, work practices, operations, and emissions-related activity;
- b. Inspection and duplication of records required by the permit to operate; and
- c. Source sampling or other monitoring activities. [District Rule 3.8, §302.10]

**Compliance with Permit Conditions:**

The Permit Holder shall comply with all Title V permit conditions. [District Rule 3.8, §302.11a]

The permit does not convey property rights or exclusive privilege of any sort. [District Rule 3.8, §302.11b]

Non-compliance with any permit condition is grounds for permit termination, revocation and reissuance, modification, enforcement action, or denial of permit renewal. [District Rule 3.8, §302.11c]

The Permit Holder shall not use the “need to halt or reduce a permitted activity in order to maintain compliance” as a defense for non-compliance with any permit condition. [District Rule 3.8, §302.11d]

A pending permit action or notification of anticipated non-compliance does not stay any permit condition. [District Rule 3.8, §302.11e]

Within a reasonable time period, the Permit Holder shall furnish any information requested by the APCO, in writing, for the purpose of determining:

- a. Compliance with the permit; or
- b. Whether or not cause exists for a permit or enforcement action. [District Rule 3.8, §302.11f]

**Emergency Provisions:**

Within two weeks of an emergency event, the owner or operator shall submit to the District a properly signed contemporaneous log or other relevant evidence demonstrating that:

- a. An emergency occurred;
- b. The Permit Holder can identify the cause(s) of the emergency;
- c. The facility was being properly operated at the time of the emergency;
- d. All steps were taken to minimize the emissions resulting from the emergency; and
- e. Within two working days of the emergency event, the Permit Holder provided the District with a description of the emergency and any mitigating or corrective actions taken.

In any enforcement proceeding, the Permit Holder has the burden of proof for establishing that an emergency occurred. [District Rule 3.8, §302.12]

**Severability:**

If any provision, clause, sentence, paragraph, section or part of these conditions for any reason is judged to be unconstitutional or invalid, such judgement shall not affect or invalidate the remainder of these conditions. [District Rule 3.8, §302.13]

**Compliance Certification:**

The responsible official shall submit a compliance certification to the U.S. EPA and the APCO every twelve (12) months unless required more frequently by an applicable requirement. [District Rule 3.8, §302.14a]

The compliance certification shall identify the basis for each permit term or condition (e.g., specify the emissions limitation, standard, or work practice) and a means of monitoring compliance with the term or condition consistent with Sections 302.5, 302.6, and 302.7 of Rule 3.8. [District Rule 3.8, §302.14b]

The compliance certification shall include a statement of the compliance status, whether compliance was continuous or intermittent, and method(s) used to determine compliance for the current time period and over the entire reporting period. [District Rule 3.8, §302.14c]

The compliance certification shall include any additional inspection, monitoring, or entry requirement that may be promulgated pursuant to Sections 114(a) and 504(b) of the Federal CAA. [District Rule 3.8, §302.14d]

**Permit Life:**

The Title V permit shall expire five years from the date of issuance. Title V permit expiration terminates the stationary source's right to operate unless a timely and complete Title V permit application for renewal has been submitted. [District Rule 3.8, §302.15]

**Payment of Fees:**

An owner or operator shall pay the appropriate Title V permit fees on schedule. If fees are not paid on schedule, the permit is forfeited. Operation without a permit subjects the source to potential enforcement action by the District and the U.S. EPA pursuant to Section 502(a) of the CAA. [District Rule 3.8, §302.16]



**Permit Revision Exemption:**

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes, for changes that are provided for in the permit. [District Rule 3.8, §302.22]

**Application Requirements:**

An owner or operator shall submit a standard District application for renewal of the Title V permit, no earlier than 18 months and no later than six months before the expiration date of the current permit to operate. [District Rule 3.8, §402.2]

An owner or operator shall submit a standard District application for each emissions unit affected by a proposed permit revision that qualifies as a significant Title V permit modification. The application shall be submitted after obtaining any required preconstruction permits. Upon request by the APCO, the owner or operator shall submit copies of the latest preconstruction permit for each affected emissions unit. The emissions unit(s) shall not commence operation until the APCO approves the permit revision. [District Rule 3.8, §402.3]

An owner or operator shall submit a standard District application for each emissions unit affected by the proposed permit revision that qualifies as a minor permit modification. The application shall be submitted after obtaining any required preconstruction permits. The emissions unit(s) shall not commence operation until the APCO approves the permit revision. In the application, the owner or operator shall include the following:

- a. A description of the proposed permit revision, any change in emissions, and additional applicable federal requirements that will apply;
- b. Proposed permit terms and conditions; and
- c. A certification by a responsible official that the permit revision meets criteria for use of minor permit modification procedures and a request that such procedures be used. [District Rule 3.8, §402.4]

**Permit Reopening for Cause:**

Circumstances that are cause for reopening and revision of a permit include, but are not limited to, the following:

- a. The need to correct a material mistake or inaccurate statement;

- b. The need to revise or revoke a permit to operate to assure compliance with applicable federal requirements;
- c. The need to incorporate any new, revised, or additional applicable federal requirements, if the remaining authorized life of the permit is three (3) years or greater, no later than 18 months after the promulgation of such requirement (where less than three (3) years remain in the authorized life of the permit, the APCO shall incorporate the requirements into the permit to operate upon renewal); or
- d. Additional requirements promulgated pursuant to Title IV as they become applicable to any acid rain unit governed by the permit. [District Rule 3.8, §413.1]

**Monitoring, Testing and Analysis:**

Additional monitoring, testing and analysis is covered under the section heading 40 CFR Part 60, Subpart WWW.

**Recordkeeping:**

The Permit Holder shall record maintenance of all monitoring and support information required by any applicable federal requirement, including:

- a. Date, place, and time of sampling;
- b. Operating conditions at the time of sampling;
- c. Date, place, and method of analysis; and
- d. Results of the analysis. [District Rule 3.8, §302.6a]

The Permit Holder shall retain records of all required monitoring data and support information for a period of at least five years from the date of sample collection, measurement, report, or application. [District Rule 3.8, §302.6b]

**Reporting Requirements:**

Any deviation from permit requirements, including that attributable to upset conditions (as defined in the permit), shall be promptly reported to the APCO. For the purpose of this condition prompt means as soon as reasonably possible, but no later than 10 days after detection.[District Rule 3.8, §302.7a]

A monitoring report shall be submitted at least every six months and shall identify any deviation from permit requirements, including that previously reported to the APCO pursuant to Section 302.7(a) of Rule 3.8. [District Rule 3.8, §302.7b]

All reports of deviation from permit requirements shall include the probable cause of the deviation and any preventive or corrective action taken. [District Rule 3.8, §302.7c]

Each monitoring report shall be accompanied by a written statement from the responsible official that certifies the truth, accuracy, and completeness of the report. [District Rule 3.8, §302.7e]

#### **40 CFR Part 60, Subpart A      General Provisions**

##### **Rule Description**

This regulation contains general provisions for affected facilities that are subject to the New Source Performance Standards (NSPS) listed in the 40 CFR Part 60. As defined in Section 60.2, an affected facility is a stationary source (or apparatus) that is subject to a standard of performance contained in 40 CFR Part 60.

##### **Compliance Status**

Since the enclosed landfill flare is not currently subject to the emission standards of Subpart WWW (60.752(b)(2)(iii)(B), the source is not subject the requirements of Subpart A. As such, the landfill is not subject to the provision of this subpart.

##### **Permit Condition**

No permit conditions are required.

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#### **40 CFR Part 60, Subpart Cc      Emission Guidelines and Compliance Times for MSW Landfills**

##### **Rule Description**

This regulation contains emission guidelines and compliance times for certain designated MSW landfills in accordance with the requirements of Section 111(d) of the Federal CAA.

### **Compliance Status**

The regulation applies to all existing MSW landfills for which construction, reconstruction, or modification was commenced before May 30, 1991. Although the Recology landfill began accepting waste in 1964, the landfill was authorized to increase its design capacity on May 17, 1996. As a result the capacity increase has made the landfill subject to the requirements of 40 CFR part 60, Subpart WWW. As such, the landfill is not subject to the provision of this subpart.

### **Permit Condition**

The source is not subject to the requirements of the subpart. No permit conditions are required.

### **40 CFR Part 60, Subpart WWW Standards of Performance for MSW Landfills**

#### **Rule Description**

The subpart establishes emission guidelines for existing MSW landfills for which construction, reconstruction, or modification was commenced on or after May 30, 1991.

### **Compliance Status**

The Recology landfill is subject to the requirements of this regulation, since the facility's most recent proposed modification (to be authorized by ATC C-09-87) will occur after May 1991.

Section 60.752(b) of the Subpart, requires that sources shall either: (1) comply with the requirements for a landfill with an emission rate over 50 Mg/year; or (2) calculate a NMOC emission rate using site specific data and testing (procedures specified in Section 60.754). If the calculated emission rate is determined to be less than 50 Mg/year, Section 60.752(b)(1) requires that the source submit an annual emission report, and recalculate the NMOC emission rate annually (or every 5 years as allowed by Section 60.757(b)(ii)). If the calculated emissions rate ever exceeds 50 Mg/year, Section 60.757(b)(1)(ii)(A) requires that the source then install and operate a compliant gas collection and control system. Lastly, Section 60.757(a) requires landfills submit an initial capacity design report, and Section 60.758(a) requires the source to document the design capacity report, the current amount of in-place waste, and the

year-to-year waste acceptance rate. The recordkeeping provisions of Section 60.758(a), require that all records be kept on-site, readily accessible, and retained for at least five (5) years.

As part of this modification, the source has not proposed an increase in the landfills capacity and therefore has not revised the landfill's initial capacity report. Based on the most recent LandGEM program, the estimated NMOC emission rate for the landfill is 18.36 Mg/year. As such, Recology will continue to be subject to the sampling, testing, and reporting requirements of this Subpart, while being exempt from the specific landfill gas collection and control requirements.

#### **Permit Condition**

For P-85-06(a2), the Rule 3.4 requirements are: The Permit Holder shall submit a NMOC report to the District using the procedures specified in 40 CFR Part 60.754(a) at least once every twelve (12) months, except as provided in 40 CFR Part 60.757(b)(1)(ii) or 40 CFR Part 60.757(b)(3). [District Rule 3.4/C-09-87]

For P-85-06(a2), the Rule 3.4 requirements are: Upon achieving a calculated NMOC emission rate of 50 megagrams or greater per year, the Permit Holder shall comply with the requirements of 40 CFR Part 60.752(b)(2). The landfill's NMOC emission rate shall be calculated in accordance with the requirements of 40 CFR Part 60.754(a). [District Rule 3.4/C-09-87]

If the estimated NMOC emission rate as reported in the annual report to the APCO is less than 50 megagrams per year in each of the next five (5) consecutive years, the owner or operator may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report.

- a. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated.
- b. All data and calculations upon which this estimate is based shall be provided to the APCO.
- c. This estimate shall be revised at least once every five (5) years.
  - I. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the APCO.

- ii. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate. [40 CFR Part 60.757(b)(1)(ii)]

The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions. [40 CFR Part 60.757(b)(2)]

An amended design capacity report shall be submitted to the APCO providing notification of an increase in the design capacity of the landfill, within 90 days of an increase in the maximum design capacity of the landfill to or above 2.5 million megagrams and 2.5 million cubic meters. This increase in design capacity may result from an increase in the permitted volume of the landfill or an increase in the density as documented in the annual recalculation required in Section 60.758(f). [40 CFR Part 60.757(a)(3)]

#### **Streamlining Demonstration**

The recordkeeping provisions of Section 60.758(a), require that all records be kept on-site, readily accessible, and retained for at least five (5) years. The subpart's retention requirement is streamlined as follows:

**Streamlined Requirement:** Except as provided in Section 60.752(b)(2)(i)(B), each owner or operator of an MSW landfill subject to the provisions of Section 60.752(b) shall keep for at least 5 years up-to-date, readily accessible, on-site records of the design capacity report which triggered Section 60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

The Permit Holder shall maintain daily records (in tons) of the total amount of MSW accepted at the landfill. [District Rule 3.4/C-09-87]

The Permit Holder shall maintain all records on site for a period of five (5) years from the date of entry and these records shall be made readily available to District personnel upon request. [District Rule 3.8, §302.6(b)/C-09-87]

Therefore, the recordkeeping requirements of Subpart WWW have been streamlined by the requirements of District Rule 3.4 and Rule 3.8.

**40 CFR Part 61, Subpart M**

**Standards for Active Waste Disposal Sites**

**Rule Description**

The provisions of this subpart apply to each owner or operator of an active waste disposal site that receives asbestos-containing waste material from a source covered under 40 CFR Part 61.149, 61.150, or 61.155.

**Compliance Status**

The provisions of Section 61.154 of the subpart are applicable to the entire facility. The source is currently in compliance with this subpart.

**Permit Condition**

The Permit Holder shall comply with the applicable requirements for active disposal sites for asbestos-containing materials as set forth in 40 CFR Part 61, Subpart M - National Emission Standard for Asbestos. [40 CFR Part 61.140/ C-09-87]

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**40 CFR Part 63, Subpart A**

**National Emission Standards for HAPs, General**

**Provisions**

**Rule Description**

The subpart establishes the general provisions for major sources of HAP's.

**Compliance Status**

The regulation applies to any source that emits or has the potential to emit 10 tons per year or more of any single HAP, or 25 tons per year or more of any combination of HAPs. Under the proposed design capacity and waste acceptance rate, the source's HAP emissions are not expected to exceed 10 tons of any single HAP or 25 tons of any combination of HAPs prior to the landfill's closure in 2042. As such, the landfill is not subject to this regulation.

**Permit Conditions**

No permit conditions are required.

**40 CFR Part 63, Subpart AAAA**      **Municipal Solid Waste Landfills**

**Rule Description**

This regulation establishes HAP emission standards for certain existing or new MSW landfills that have accepted waste since November 8, 1987.

**Compliance Status**

The provisions of this subpart applies to any existing or new MSW landfills that have accepted waste since November 8, 1987, and that satisfies at least one of the following conditions:

- a. The landfill is a major source of HAPs that emits any single HAP above 10 tons per year, or any combination of HAPs above 25 tons per year (as defined in 40 CFR Part 63.2);
- b. The landfill is collocated with a major source of HAPs;
- c. The landfill is an area source with a design capacity equal to or greater than 2.5 million megagrams and an uncontrolled NMOC emission rate equal to or greater than 50 megagrams per year; or
- d. The landfill is an area source with a design capacity equal to or greater than 2.5 million megagrams and operates a bioreactor(s) (as defined in Section 63.1990).

The landfill is not subject to the requirements of this subpart, for the following reasons:

- a. The landfill does not emit more than 10 tons of a single HAP, or 25 tons of any combination of HAPs;
- b. The landfill is not collocated with a major source of HAPs;
- c. The landfill has a design capacity above 2.5 million megagrams, but the NMOC emission rate is below the 50 Mg per year; and
- d. The landfill does not operate any bioreactor cells, and does not add any liquid to any waste cell that may represent a bioreactor operation.

For reference, Section 63.1990 of this subpart defines a bioreactor as “a MSW landfill or portion of a MSW landfill where any liquid other than leachate (leachate includes landfill gas condensate) is added in a controlled fashion into the waste mass (often in combination with recirculating leachate) to reach a minimum average moisture content of at least 40% by weight, calculated on a wet weight basis, to accelerate or enhance the anaerobic (without oxygen) biodegradation of the waste.” In order to assure that facility is not subject to



this subpart, the District will prohibit the facility from adding liquid to any waste cells (see Rule 3.4 discussion above).

**Permit Condition**

The source is not subject to the requirements of the subpart. No permit conditions are required.

**40 CFR Part 82, Subpart F      Recycling and Emission Reduction**

**Rule Description**

The purpose of the regulation is to implement the Montreal Protocol on Substances that Deplete the Ozone Layer and applies to any person that produces, transforms, destroys, imports or exports a controlled substance or imports or exports a controlled product.

**Compliance Status**

The subpart is applicable to the entire facility. The source is currently in compliance with this subpart.

**Permit Condition**

The Permit Holder shall comply with the applicable requirements for the handling and the disposal of the affected appliances and equipment containing ozone depleting substances, as set forth in 40 CFR Part 82, Subpart F - Recycling and Emission Reduction. [40 CFR Part 82.150/C-09-87]